



Miccosukee Tribe of Indians of Florida

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March 2, 2020

Mary S. Walker
Regional Administrator – Region IV
United States Environmental Protection Agency
Atlanta Federal Center
Atlanta, Georgia 30303-3104

Dear Ms. Walker:

On January 3, 2019, the Miccosukee Tribe of Indians of Florida (Tribe) requested the EPA's review and approval of a second amendment of its Treatment in a Manner Similar to a State (TAS) authority under Sections 303(c) and 401 of the Clean Water Act (CWA) to add five land tracts to the Tribe's current authorization. Consistent with the EPA's 2016 reinterpretation of section 518 of CWA, "Final Interpretive Rule: Revised Interpretation of Clean Water Act Tribal Provision," 81 Fed. Reg. 30,183 (May 16, 2016), the Tribe is providing with this letter supplemental information to our Supplemental Application.

In addition to information provided in our original Supplemental Application regarding the Tribe's inherent authority to regulate water quality, we add the following: A basis for the Tribe's assertion of authority under this Supplemental Application is the express congressional delegation of authority to eligible Indian tribes to administer regulatory programs over their reservations contained in section 518 of the CWA. There are no limitations or impediments of the Tribe's authority or ability to effectuate the delegation of authority from Congress as described in this Supplemental Application. This authority is in addition to the inherent authority of the Tribe over lands within the external boundaries of the five land tracts included in the original supplemental application.

If you have any questions, you may contact me at (305) 223-8380, extension 5211, or Mr. Truman E. Duncan, Jr., Miccosukee Water Quality Control Officer at (305) 223-8380, extension 2241.

Sincerely,

Jeanine Bennett, Esq.
In-House General Counsel